

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
AT MARTINSBURG**

RONALD L. JOHNSON,

Plaintiff,

v.

**Civil Action No. 3:06CV02
(Judge Broadwater)**

**POTOMAC HIGHLANDS REGIONAL
JAIL, JERRY DETRICCK, and PRIME
CARE MEDICAL,**

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

On this day the above styled case came before the Court for consideration of the Report and Recommendation of Magistrate Judge James E. Seibert, dated May 3, 2006. Neither Party filed objections to the Report. After reviewing the above, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be and is hereby **ORDERED** adopted.

Accordingly, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, this case is **DISMISSED** without prejudice for the failure to prosecute. This matter shall be **STRICKEN** from the active docket of the Court.

The Clerk is directed to transmit true copies of this Order to the Plaintiff and all counsel of record herein.

DATED this 14th day of November 2006.


**W. CRAIG BROADWATER
UNITED STATES DISTRICT JUDGE**